

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

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IN THE MATTER OF THE PETITION BY THE  
DIVISION OF OIL, GAS & MINING FOR AN  
ORDER AGAINST UNITED STONE &  
DESIGN, INC.:

- 1) WITHDRAWING OF THE UNITED STONE  
MINE'S, S/047/0079, NOTICE OF  
INTENTION TO COMMENCE SMALL  
MINING OPERATIONS;
- 2) FORFEITING THE SURETY;
- 3) DIRECTING THE DIVISION TO COMPLETE  
RECLAMATION, AND AUTHORIZING A  
CIVIL SUIT TO RECOVER COSTS AND  
PENALTIES FROM UNITED STONE &  
DESIGN, INC. AND THE UNITED STONE  
MINE, S/047/0079; AND
- 4) TAKING ALL OTHER ACTIONS  
NECESSARY TO RECLAIM THE LANDS  
LOCATED AT S27, T12S, R20E; S29,  
T12S, R20E; AND S06, T13S, R20E,  
USBM, UINTAH COUNTY, UTAH.

**NOTICE OF HEARING**

Docket No. 2013-008  
Cause No. S/047/0079

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING  
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, APRIL 24, 2013, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Notice of Agency Action filed by the Division of Oil, Gas, and Mining, asking that the Board enter an Order:

1. Withdrawing Notice of Intention S/047/0079 due to the failure of the Respondent to provide an increased reclamation surety, satisfactorily perform reclamation of the land, or claim responsibility for reclamation costs associated with the United Mine; and
2. Finding that the operator, United Stone and Design, is in breach of the Reclamation Contract and obligation under the Act to reclaim, and permitting the Division to finish any outstanding reclamation work at the United Mine and allowing the Division to seek repayment for the outstanding reclamation work including any attorney and Board costs; and
3. Authorizing the Attorney General to pursue the civil penalties arising from the three Cessation Orders issued to United Stone and Design in the appropriate district court of the state; and
4. Authorizing the Division to take all other actions as may be appropriate or necessary to reclaim the United Mine and recover costs and such further relief as the Board may deem just and equitable under the law and facts as may be adduced in the proceeding hearing.
5. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.


Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 28th day of February, 2013.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
James T. Jensen, Chairman

  
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/s/ Julie Ann Carter  
Board Secretary  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5277

### **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing **NOTICE OF HEARING** for Docket No. 2013-008, Cause No. S/047/0079 to be mailed by Email or via First Class Mail with postage prepaid, this 28th day of March, 2013, to the following:

Cameron Johnson  
Steven F. Alder  
Assistant Attorneys General  
Utah Division of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[cameronjohnson@utah.gov](mailto:cameronjohnson@utah.gov)  
[stevealder@utah.gov](mailto:stevealder@utah.gov)  
[Via Email]

Michael S. Johnson  
Assistant Attorney General  
Utah Board of Oil, Gas & Mining  
1594 West North Temple, Suite 300  
Salt Lake City, UT 84116  
[mikejohnson@utah.gov](mailto:mikejohnson@utah.gov)  
[Via Email]

United Stone and Design  
C/O Justin Farley  
P.O. Box 99  
Duchesne, UT 84021

Zions Bank  
Attn: Raelynn Daniels  
One South Main St  
Salt Lake City, Utah 84133

A handwritten signature in blue ink, reading "Julie Ann Carter", is written over a horizontal line.

**CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2013-008, Cause No. S/047/0079 to be PUBLISHED in the following newspapers on the following days:

April 7, 2013:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

April 2, 2013:

Uintah Basin Standard, a newspaper of general circulation in Duchesne and Uintah Counties.

April 3, 2013:

Vernal Express, a newspaper of general circulation in Daggett and Uintah Counties.

  
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